

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/29/2017

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UNITED STATES OF AMERICA,

-against-

JOSEPH PERCOCO,
a/k/a "Herb,"
ALAIN KALOYEROS,
a/k/a "Dr. K,"
PETER GALBRAITH KELLY, JR.,
a/k/a "Braith,"
STEVEN AIELLO,
JOSEPH GERARDI,
LOUIS CIMINELLI,
MICHAEL LAIPPLE, and
KEVIN SCHULER,

Defendants.
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16-CR-776 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on December 28, 2017, Defendants Percoco, Kelly, Aiello, and Gerardi (the "January Defendants") and the Government appeared for a Final Pretrial Conference;

IT IS HEREBY ORDERED THAT:

1. Trial for the January Defendants is adjourned to **January 22, 2018 at 10:00 a.m.**, Courtroom 443, Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, NY.
2. The December 29, 2017 deadline for the parties to produce copies of their exhibits to each other and to the Court (Dkt. 406) is adjourned to **January 12, 2018**.
3. The Court will shortly submit a revised Jury Questionnaire to the parties. No later than **January 11, 2018 at 9:00 a.m.**, the parties must insert into the Questionnaire the names of individuals who will be mentioned at trial and resubmit it to the Court. The Court will then file the finalized Questionnaire by ECF. No later than **January 12, 2018 at 3:00 p.m.**, the Government must make at least 100 copies of the Questionnaire and deliver them to the Jury

Clerk. Once the Questionnaires have been completed by the jury pool, the Government must duplicate them, delivering the originals plus two copies to the Court (in juror-number order) and delivering an agreed-upon number of copies to the January Defendants. No later than **January 18, 2018 at 3:00 p.m.**, the parties must submit to the Court a joint list of challenges for cause based on the jurors' responses to the Questionnaires. The parties must submit a single document that lists the challenges on which the parties agree and those on which they do not agree. The Court will hold a conference on **January 18, 2018 at 5:00 p.m.**, in Courtroom 443, to resolve any disputed challenges for cause.


4. No later than **January 5, 2018**, the January Defendants and the Government must file responses to each other's pending motions *in limine* (Dkts. 418, 420). Any replies must be filed by **January 12, 2018**. If necessary, the Court will hold a hearing on the motions on **January 19, 2018 at 2:00 p.m.** in Courtroom 443.

5. On the Thursday before the start of trial, and on each subsequent Thursday during trial, the Government must disclose to the January Defendants (a) the order of its case-in-chief witnesses for the following week, (b) any Rule 26.2 material for those witnesses that has not already been produced, and (c) any updates to its exhibit list (which must also be provided to the Court). The same rule applies to the Defense.

6. The Clerk is respectfully directed to close the open motions at Dkts. 412, 414, and 421.

SO ORDERED.

Dated: December 29, 2017
New York, NY


VALERIE CAPRONI
United States District Judge